



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,542	11/17/2005	Daniil Utin	13984-006US1	6862
26161 7590 08/20/2007 FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022				
			EXAMINER CHEN, SHIN HON	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 08/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/532,542

Applicant(s)

UTIN, DANIIL

Examiner

Shin-Hon Chen

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/22/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9 have been examined.

Specification

2. Claims 2-8 are objected to because of the following informalities: There are multiple claim 2's and the dependency of claims needs to be corrected. Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-9 are rejected under 35 U.S.C. 101 because

the claimed invention is directed to non-statutory subject matter. The claimed invention is directed to a judicial exception to 35 U.S.C. 101 (i.e., an abstract idea, natural phenomenon, or law of nature) and is not directed to a practical application of such judicial exception (e.g., because the claim does not require any physical transformation and the invention as claimed does not produce a useful, concrete, and tangible result). In this instance, the claims disclose a system for positively identifying a client machine to a backend without disclosing the tangible result of processes.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childs et al. U.S. Pat. No. 7234157 (hereinafter Childs) in view of Ellison et al. U.S. Pat. No. 7082615 (hereinafter Ellison).

6. As per claim 1, Childs discloses a system for positively identifying a client machine running a client application to a backend, comprising executing a ClientID storage process, including upon connection by the client application to the backend, generating a unique ClientID at the backend for the client machine (Childs: column 3 lines 60-67), sending the ClientID to the client application (Childs: column 3 lines 60-67), reversibly scrambling the ClientID with the client application at the client machine and storing a first scrambled version of the ClientID at a first predetermined location on the client machine (Childs: column 4 lines 1-12: encrypt the credential). Childs does not explicitly disclose the credential includes checksum and reversibly scrambling the ClientID with the client application at the client machine and storing a second scrambled version different from the first version of the ClientID at a second predetermined location on the client machine. However, Ellison discloses generating a hash of a file in registry intended to be checked for integrity and generating an encrypted secure copy of the file using Operating System Nub Key/OSNK as operating system secure platform file to verify the

Art Unit: 2131

integrity of the subset/file (Ellison: column 10 lines 37-50). It would have been obvious to one having ordinary skill in the art to encrypt the credential using the OSNK to generate a secure copy of the credential for integrity checking because both prior art discloses verifying the integrity of data by comparing with another authenticated data. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Ellison within the system of Childs because it prevents unauthorized tampering of data occurs on local system (Ellison: column 9 lines 40-45).

7. As per claim 2, Childs as modified discloses the system of claim 1. Childs as modified further disclose sexecuting a ClientID retrieval process with the client application when the client application subsequently attempts to connect to the backend, including retrieving and unscrambling the values stored in both locations using the first and second keys (Childs: column 4 lines 40-43 and Ellison: column 10 lines 44-47), running a checksum operation on the unscrambled values to verify that each has the correct checksum, and comparing the two unscrambled values to see whether they match (Ellison: column 47-51). Same rationale applies here as above in rejecting claim 1.

8. As per claim 3, Childs as modified discloses the system of claim 2. Childs as modified further discloses wherein the retrieval process executed by the client application further comprises if the two unscrambled values retrieved from the two locations have the correct checksum and match each other, reporting the retrieved ClientID to the backend (Childs: column 4 lines 43-47).

9. As per claim 4, Childs as modified discloses the system of claim 3. Childs as modified further discloses wherein the retrieval process executed by the client application further comprises if the two unscrambled values retrieved from the two locations do not both have the correct checksum and match each other, reporting an error to the backend (Childs: column 4 lines 42-47).

10. As per claim 5, Childs as modified discloses the system of claim 1. Childs further discloses wherein the storage process further comprises encrypting the value of the newly generated ClientID at the backend and storing the encrypted version of the ClientID on the backend in a ClientID record (Childs: column 4 lines 1-6).

11. As per claim 6, Childs as modified discloses the system of claim 1. Childs as modified further discloses the storage process steps of scrambling use different first and second keys (Childs: column 4 lines 40-43 and Ellison: column 10 lines 44-47). Same rationale applies here as above in rejecting claim 1.

12. As per claim 7, Childs as modified discloses the system of claim 1. Childs as modified further discloses wherein one of the first and second locations is the registry (Ellison: column 9 lines 38-40). Same rationale applies here as above in rejecting claim 1.

Art Unit: 2131

13. As per claim 8, Childs as modified discloses the system of claim 1. Childs further discloses wherein one of the first and second locations is the system configuration file (Ellison: column 8 lines 33-37 and column 10 lines 37-47). Same rationale applies here as above in rejecting claim 1.

14. As per claim 9, Childs as modified discloses the system of claim 1. Childs further discloses wherein the first and second locations are the registry and system configuration file (Ellison: column 8 lines 33-37: secure operating system platform; column 9 lines 38-40: registry files; column 10 lines 37-47: the hash is encrypted by OSNK). Same rationale applies here as above in rejecting claim 1.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Maher et al. U.S. Pat. No. 7213266 discloses system and method for managing and protecting electronic content using credentials.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.


Art Unit: 2131

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen
Examiner
Art Unit 2131

SC



CHRISTIAN LABERGE
AU 2131